hate crimes legislation sending a signal that violence of any kind is unacceptable in our society.

I would like to describe a terrible crime that occurred August 8, 2000 in Providence, RI. Two young gay men were severely beaten by two strangers. The assailants drove by the young men, shouting vulgarities and anti-gay slurs. After making two passes, the perpetrators got out of the car, shouted more anti-gay slurs, and proceeded to punch and kick the victims in the head and body. The attackers fled after witnesses called for help.

I believe that Government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act of 2001 is now a symbol that can become substance. I believe that by passing this legislation and changing current law, we can change hearts and minds as well.

A HOLD ON EXTENDING CHAPTER 12 BANKRUPTCY

Mr. GRASSLEY. Mr. President, I would like to inform my colleagues that I have requested to be notified of any unanimous consent agreement before the Senate proceeds to the consideration of H.R. 5472 or any other legislation extending chapter 12 bankruptcy. While I am a strong supporter of chapter 12—in fact I was the author of chapter 12—I believe that these changes should be enacted as part of the comprehensive bankruptcy reform conference report, which includes provisions making permanent chapter 12 and extending other important family farmer protections in bankruptcy. Chapter 12 will be in effect until the end of this year, and I expect that the comprehensive bankruptcy reform conference report will be passed by the House and Senate by then. Consequently, an extension is not necessary at this time. So I urge my colleagues in the House and Senate to pass the comprehensive bankruptcy reform conference report as soon as possible to extend these protections to our family farmers.

NOMINATION OF DR. MARK McCLELLAN

Mr. FRIST. Mr. President, just a few moments ago, I joined my colleagues on the Health, Education, Labor, and Pensions Committee in unanimously approving the nomination of Mark McClellan to be Commissioner of the Food and Drug Administration. I rise now to strongly urge the Senate to immediately act on the nomination.

Dr. McClellan is not a stranger to the Senate. During his service on the Council of Economic Advisors, many of us have benefitted from his expertise, clear-headed analysis, and sound advice concerning health policy matters. Dr. McClellan has served the President well and I know that he will continue to serve the Nation well as the next Commissioner of the Food and Drug Administration.

Mark McClellan is an excellent choice to lead the FDA. He is a talented academician and economist who has helped challenge conventional thinking about important health policy matters through groundbreaking research. He is a gifted health policy analyst who has worked to improve the Nation's health care system for all Americans. Perhaps most importantly, he is also a physician who has cared for patients and knows first hand that there are few greater callings than helping to heal one's fellow man.

Mark McClellan is uniquely qualified to lead this important agency at this critical time.

The challenges confronting the next Commissioner of the FDA are great, perhaps greater than at any other time in our Nation's recent history.

Of course, the FDA has an important, ongoing role to play in ensuring the safety and efficacy of drugs, biologics, food, cosmetics, blood products, and devices, goods and products accounting for nearly one-quarter of all consumer spending in the United States. But the FDA Commissioner must be more than simply the head of a large, regulatory Government agency. He must also provide strong leadership on a broad range of critical health policy issues that directly affect the lives and well-being of every American.

I would like to highlight some of the issues on which it is critical that the FDA Commissioner provide leadership at this time. The most significant issue we have faced over the past year is terrorism. On September 11 we endured the most horrendous attack on American soil since Pearl Harbor. This week, we mark the 1-year anniversary of the worst attack of biological terrorism in this country. We cannot know when, where, or in what form the next attack will happen, but we must be prepared. This includes speeding the review and approval of rapid assays, vaccines, and other necessary bioterrorism countermeasures. Numerous scientists and research facilities are working to meet the call of the President and Congress to protect our homeland from outside threats. The FDA must help fashion an environment in which these discussions are encouraged and translated to medical practice.

At the same time, we cannot ignore naturally emerging threats to the safety and sustainability of our blood, tissue and organ supply. Last week, it was reported that 40 people were exposed to hepatitis C from a single organ and tissue donor and salmonella was transmitted through blood transfusions. This is in addition to the growing body of knowledge we are amassing on West Nile virus. Considered together with the existing shortage of blood, tissue and organ donors, the need to speed the development of new screening and purification products is clearly illustrated.

Finally, I would like to highlight the importance of promoting a regulatory environment that values innovations to improve patient care and consumer safety, while at the same time safeguarding the public health. But this must be done without contributing unnecessarily to overall rising health care costs or allowing basic medical treatments to be forgotten. We presently face just this situation with our Nation's vaccine supply. Currently, only four manufacturers produce vaccines and they face the multiple challenges of a growing litigation crisis and changes in the FDA's regulatory oversight. While most of the recent childhood vaccine shortages have been alleviated, our system remains vulnerable to future shortages if we fail to act.

Mark has my full support, the full support of the HELP Committee, and I believe the full support of the Senate. It is in not only in our best interest to see that his nomination is acted on quickly, but it is in the best interest of the entire Nation for the Senate to confirm him as the next Commissioner of the Food and Drug Administration. We cannot wait or allow the nomination to be delayed.

THE ACCOUNTABILITY OF TAX DOLLARS ACT OF 2002

Mr. FITZGERALD. Mr. President, I rise today to urge my colleagues to support S. 2644, the Accountability of Tax Dollars Act, which was approved today by unanimous vote by the Governmental Affairs Committee. Earlier this week, the House of Representatives approved by voice vote the companion measure, H.R. 468, sponsored by Congressman TOOMEY of Pennsylvania.

I thank Chairman, LIEBERMAN and Ranking Member THOMPSON for their support of this legislation, and Congressman TOOMEY for his leadership in the House on this significant issue.

This important legislation will increase the effectiveness of the Chief financial Officers' Act by expanding to all executive agencies the requirement that Federal agencies conduct independent financial audits. This bill will also subject agencies audited records to review by Congress and the administration.

As my colleagues well know, fiscal mismanagement by Federal agencies costs taxpayers billions of dollars each year. The total amount of taxpayer losses is probably much greater than we know, however, because many agencies do not subject their budget reviews to the scrutiny of outside accountants. By requiring independent audits of all executive agencies, this bill will help make our Government more accountable to the taxpayers. The agencies covered by this bill have a combined annual budget of tens of billions of dollars—budgets that represent taxpayer dollars that should be accounted for more rigorously.

I was dismayed to learn that under current law, only the 24 largest departments and agencies—and a few others specified by Congress—are required to